

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

IGOR SEVASTIANOV,

Plaintiff,

-against-

KIKA SCOTT, et al.,

Defendants.

USDC SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC #:
DATE FILED: 2/14/2025

24-CV-1075 (DEH) (BCM)

ORDER

BARBARA MOSES, United States Magistrate Judge.

Plaintiff Igor Sevastianov, proceeding pro se, seeks redress against the Director of United States Immigration and Citizenship Services (USCIS) and other USCIS officials arising out of the loss of his "Green Card" in 2001, which, he alleges, was "illegally taken away from m[e] in 2001 based on the application of law that does not pertain or apply to me in any way." (Dkt. 6.) On September 12, 2024, plaintiff filed Proofs of Service attesting that service was made upon defendants Ur Jaddou and USCIS Officer 0348 by, *inter alia*, certified mail addressed to 5900 Gateway Capital Dr., Mail Stop 2120, Camp Springs, MD 20588. (Dkts. 20, 22.) This is the service method specified on the USCIS website.¹ In his Notice of Motion dated January 27, 2025 (Dkt. 28), plaintiff states that he has "fulfilled all the requirements of the court," but "nothing is happening." Plaintiff wishes to know "when I can expect my case to be considered." (*Id.*)

Appearance by Defendants

The reason for the lack of activity in this case is that defendants have not yet responded to plaintiff's Complaint or otherwise appeared through counsel. In the interest of efficiency, the Court has alerted the United States Attorney's Office to the pendency of this action (and to the Proofs of Service filed by plaintiff on September 12, 2024), and is confident that defendants will appear through counsel in the near future. Should there be no such appearance on or before

¹ See <https://www.uscis.gov/laws-and-policy/uscis-service-of-process-notice>.

February 24, 2025, plaintiff may seek the entry of the non-appearing defendants' default in accordance with Fed. R. Civ. P. 55(a) and Local Civ. R. 55.1.

Substitution of Defendant Sued in her Official Capacity

Pursuant to Fed. R. Civ. P. 25(d), the Clerk of Court is respectfully directed to substitute Kika Scott – the current Acting Director of USCIS, appointed on February 9, 2025 – for defendant Ur Jaddou, who was the Director of USCIS when this action was filed.

The Clerk of Court is respectfully directed to close the motion at Dkt. 28.

Dated: New York, New York
February 14, 2025

SO ORDERED.



BARBARA MOSES
United States Magistrate Judge